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He mentions five obstacles (all on the part of the United States) to the unification of the law: (1) the jealousy with which each jurisdiction guards its own legal products; (2) the increasing tendency to make law through legislators rather than judges or jurists, as legislators are even more apt than judges to restrict themselves to local considerations; (3) the sluggish progress made in obtaining uniform commercial law on other matters, such as warehouse receipts, sales, and even negotiable instruments; (4) the division of jurisdiction which commits the regulation of commerce to the federal government and the regulation of the instruments of commerce to the states; and (5) the tendency of the American business public to sneer at jurisprudence.

He mentions three conditions favorable to unification: (1) that American jurists and teachers of law are turning from the welter of decisions, and seeking unity in law; (2) that Latin-American jurists have inherited a tradition of universal law, and incline to the universal treatment of law; and (3) that the sociological movement in America is gaining strength, and that this must make for universality since it breaks from purely legal reasoning and turns to general considerations of utility, of justice, and of adaptation to human activities.

Professor Pound concludes by saying that we must not expect to move rapidly. The first step would seem to be the promotion of uniformity from within, both in Latin America and in Anglo-America. The second step must be education through scientific discussions in congresses and conventions, out of which may arise in the near future a Pan-American Conference on Uniform Commercial Legislation composed of jurists, practicing commercial lawyers, and men of affairs, which will gradually produce a scheme of Pan-American legislation on the subject.

The report is terse. The learned author has simply sketched the situation. The reviewer ventures to suggest that, while it is improbable that the laws relating to composite business units, even in the United States, will be made uniform in the near future, if ever, it seems, on the other hand, probable that a law may be evolved regulating *one* type of a composite business unit, which could be readily understood by lawyers and business men in all the American Republics, and that at least the great commercial states would permit its citizens, at their option, to do business by such method.

EDWARD H. WARREN.

THE DOCTRINE OF CONSIDERATION. Treated historically and comparatively.
By Pherozechah N. Daruvala, LL.D. Calcutta, 1914. pp. lxvii, 622.

The scope of this book on consideration is remarkable. It includes all questions relating to the necessity of consideration in order to make valid either a promise or a transfer of property. Though it deals primarily with the law of England and her colonies, the law of all other civilized countries is in separate chapters compared with the English doctrine. It is unfortunate that the execution of the work is not equal to the scope. The author seems to have read an astonishing number of books, and he quotes liberally from them; but there is little attempt to coördinate in accurate statements of principle the author's conclusions from the many authorities which he cites. Such attempts as he makes in this direction are not very helpful. On pages 118-120 he collects more than twenty different definitions of consideration, all of which he criticises as defective "because instead of laying down a principle they try to give instances." This criticism, however, seems inapplicable to many of the definitions which not only "give instances" but profess to include all the instances where the author of the definition thinks consideration may be found. There is a confusion of terminology, however, in the definitions which Dr. Daruvala

quotes — a confusion which he does nothing to clear up, between consideration which is in fact given for a promise, and such consideration as the law regards as essential to make a promise binding. The lack of discriminating thought which is evident in this matter is typical of the book. Thus in treating the crucial question of the validity as consideration of the promise, or the performance, of an act due under a previous contract with a third person, the author carefully states the conclusions of all writers on that subject, but he gives little of their reasoning, and says nothing himself which sheds light upon the subject. His final conclusion (p. 155) that either performance or promise of an act due to a third person may suffice to support a promise is logically at variance with his earlier statement (p. 121) made in attempting a definition of the requisite of valid consideration that "there must be a detriment by the promisee." But he does not observe the inconsistency. There is much valuable material in the book, but the author has not been equal to dealing with his material. In mechanical execution, though the print and form of the volume are pleasing, it is defaced by numerous misprints.

SAMUEL WILLISTON.

PALAEOGRAPHY, AND THE PRACTICAL STUDY OF COURT HAND. Parts I and II. By Charles Johnson and Hilary Jenkinson. Oxford: Clarendon Press. 1915. pp. xlviii, 250.

The object of this sumptuous monograph is to prove that, at least in England where medieval manuscripts are numerous and men of all classes wrote them, it is not possible to decipher or even to date a manuscript by internal evidence; "that Court Hand documents can generally be read with certainty, but only in the light of their meaning, and that they can nearly always be dated with accuracy, but not by their handwriting." The author's thesis is proved in a novel way. He reproduces thirteen documents, written in widely different hands, and gives comments on the peculiarities of each hand; and then announces that the documents "are all of one date — 1225; they all relate to the same small piece of business; they actually form separate membranes of a single roll; and they come all from one small part of Lincolnshire not more than a few miles square."

The facsimiles are beautiful; the comments enlightening; the surprise complete; the demonstration convincing.

J. H. BEALE.

THE ADMINISTRATION OF JUSTICE IN CRIMINAL MATTERS (In England and Wales). By G. Glover Alexander. Cambridge: Cambridge University Press. 1915. pp. x, 235.

THE DIPLOMATIC PROTECTION OF CITIZENS ABROAD. By Edwin M. Borchard. New York: The Banks Law Publishing Company. 1915. pp. xxxvii, 988.

COLLECTED DIPLOMATIC DOCUMENTS RELATING TO THE OUTBREAK OF THE EUROPEAN WAR. London: H. M. Stationery Office. 1915. pp. xix, 561.

VOTING TRUSTS. By Harry A. Cushing. New York: The Macmillan Company. 1915. pp. 226.

THE CRIMINAL IMBECILE. By Henry Herbert Goddard. New York: The Macmillan Company. 1915. pp. ix, 157.

THE HAGUE CONVENTIONS AND DECLARATIONS OF 1899 AND 1907. Edited by